In the High Court of Punjab and Haryana, Chandigarh.

Civil Revision No.5123 of 2007

Date of Decision: 5.10.2007.

Mehboob Hasan

…Petitioner.

Versus

Mehmood Hasan and others.

…Respondents.

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr.Jai Bhagwan,Advocate
for the petitioner.

RAJESH BINDAL, J.

The challenge in the present petition is to the order dated February 9, 2007 passed by the learned Additional Civil Judge (Senior Division), Nuh, whereby the evidence of the petitioner has been closed by order of the Court.

Even prior thereto, the evidence of the petitioner was ordered to be closed and it was only by order passed by this Court on July 25, 2006 in Civil Revision No. 2949 of 2005 that the petitioner was granted one opportunity to lead his entire evidence.

The impugned order was passed on February 9, 2007 and thereafter, the case was adjourned for a number of hearings but the petitioner/plaintiff remained satisfied with the order passed and the prayer made now is that no effective proceedings have taken place thereafter, and let one opportunity be granted to him to complete his evidence as the witnesses, who though were present in the Court even on the date when the evidence was closed by the Court vide impugned order, but were not

examined.

However, seeing the conduct of the petitioner/plaintiff when even on earlier occasion, his evidence was closed by order of the Court and even now when the impugned order was passed on February 9, 2007, he was satisfied with the order and sought to challenge the same, only after four or five hearings had passed in between, I do not find any merit in the prayer made.

Accordingly, the present revision petition is dismissed.

(Rajesh Bindal)
Judge

October 5, 2007
"DK"